HONOURABLE SRI JUSTICE D.S.R.VARMA

AND

HONOURABLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO.11075 OF 2006

Dated:15.06.2006

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N.Beejan

…Petitioner

The Station House Officer, II Town Police Station,

Anantapur and another.

…Respondents

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ORDER: *(per Hon'ble Sri Justice P.Swaroop Reddy)*

Heard the learned Assistant Government Pleader, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the basis of telegrams, dated 31.05.2006 and 02.06.2006, sent by one N.Beejan, *inter alia*, alleging that her husband by name N.Abdulla was arrested by the Police Personnel of II Town Police Station, Anantapur, illegally without booking any case.

3. After receipt of notice, the first respondent-Sub-Inspector of Police, II Town Police Station, Anantapur, filed counter-affidavit, *inter alia,* stating that the husband of the petitioner by name Abdulla was not required in any case pending with their Police Station and as such, they had no occasion to detain him; that after receipt of communication from the Office of the Advocate General, he caused enquiry and came to know that the alleged detenue is living along with his wife and children at D.No.24-272, Sunnapu street, Old town, Anantapur; that he made a requisition to the Mandal Executive Magistrate, Anantapur, to cause enquiry with the alleged detenue and issue certificate to that effect and accordingly, the Mandal Executive Magistrate, Anantapur, enquired with the alleged detenue and recorded his statement wherein he stated that he is living by doing goldsmith work and due to hike in the price of gold, his business was not comfortable, as such he left to Proddutur, Nandyal and Adoni in search of work without informing his wife, but, his wife under mistaken impression that he was apprehended by the Police had sent the telegram.

4. The said statement of the alleged detenue recorded by the Mandal Executive Magistrate, Anantapur, to which an attested photograph of the alleged detenue is affixed, is made part of the record.

5. Thus, apparently the telegram was sent by the petitioner

under a mistaken impression that her husband was apprehended by the Police, when he went away elsewhere in search of work.

6. Under the above circumstances, the writ petition is liable to be closed and is, accordingly, closed at the stage of admission.

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D.S.R.VARMA, J

15.06.2006

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P.SWAROOP REDDY, J